

REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claim 21 has been amended. Claims 1-3, 8-13, 18, and 20 are allowed. Claims 1-3, 8-13, 18, and 20-21 are pending and under consideration.

Applicants have timely filed a Request for Continued Examination (RCE) along with this Amendment, including the filing fee as set forth in 37 CFR 1.17(e). Accordingly, Applicants respectfully request that the Examiner withdraw the finality of any Office action and enter this Amendment for consideration under 37 CFR 1.114.

I. Rejections under 35 U.S.C. § 102

In the Office Action, at page 2, claim 21 was rejected under 35 USC § 102(e) as being anticipated by Fatehi (U.S. Patent No. 6,600,581).

Fatehi does not discuss or suggest:

a demultiplexing unit demultiplexing the wavelength-division-multiplexed signal into each of said plurality of wavelength components having an identifier stored in a predetermined position in each of said plurality of wavelength components and outputting said wavelength components to output terminals;

and

a plurality of extraction units extracting an identifier stored in the predetermined position in each of the plurality of wavelength components,

as recited in amended claim 21. Thus, the invention of claim 21 provides for judging whether or not each of the plurality of wavelength components in an optical signal is down and whether an identifier is abnormal for each of the wavelength components.

Fatehi, as relied on by the Examiner, discloses that verification that an optical signal has been properly routed from an input to an output of an optical cross-connect is achieved by independently tagging an optical signal (e.g. wavelength) with identification information at a cross-connect input, and determining from the received identification information from the tagged optical signal at a cross-connect output whether the optical signal was routed according to a predetermined route. However, the identification signal is set in an apparatus for routing optical signals, and is not stored in the optical signals before the apparatus receives the optical signals. Furthermore, Fatehi discloses a tag reading/writing element 211 for attaching and retrieving tags to and from optical signals at cross-connect inputs and outputs. However, the

tags are set to optical signals in a tag read/write element 201 in the apparatus for routing optical signals, and are not stored in the optical signals before the apparatus receives the optical signals. Thus, Fatehi fails to disclose a demultiplexing unit that demultiplexes a wavelength-division-multiplexed signal into a plurality of wavelength components having an identifier stored in a predetermined position in each of the plurality of wavelength components.

Therefore, Fatehi does anticipate claim 21, which patentably distinguishes over Fatehi. Accordingly, withdrawal of this § 102(e) rejection is respectfully requested.

II. Allowable Subject Matter

Applicant's appreciate the Examiner's indication that claims 1-3, 8-13, 18, and 20 are allowed.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

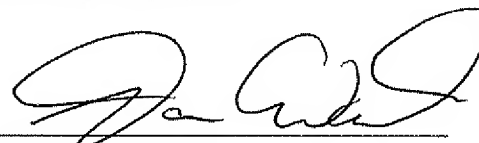
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: 
Aaron C. Walker
Registration No. 59,921

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501